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Oregon CZARA – Status of Settlement Agreement Deadline and Actions

- In keeping with the terms of a 2011 settlement agreement with Northwest Environmental Advocates (NWEA) and subsequent negotiated deadlines, NOAA and EPA jointly published our intent to disapprove Oregon's Coastal Nonpoint Program on Dec. 20, 2013, and announced a 90-day public comment period on this proposed action. The agencies will notify Oregon on January 30, 2015 of our final decision to disapprove this program.
- At issue are elements of Oregon's forestry program, which NOAA and EPA have concluded are not adequate to meet the requirements called for under CZARA.

Ex. 5 - Attorney Client

- There is also ongoing coordinated communication with Oregon's Congressional delegation which is being coordinated between the Oregon Governor's office and political leadership at NOAA and EPA. Although the federal agencies will announce a disapproval decision on January 30, we are working with Oregon to map out a path to approval by mid-2016, with trackable interim milestones and an accountability mechanism. Financial consequences of the disapproval may be avoided provided that Oregon follows this approval pathway.
- NOAA and EPA will publish a notice of disapproval of Oregon's Coastal Nonpoint Program in the Federal Register in early February, along with a supporting decision document that lays out the basis for disapproval and a response to comments document from the comment period that closed last March.
- NOAA and EPA are finalizing a communications roll-out strategy that includes preparation of a joint press release and provides the opportunity for a briefing for Oregon's Congressional delegation.